

STATE BUILDING CODE TECHNICAL REVIEW BOARD
MEETING

Friday, April 21, 2017

RICHMOND, VIRGINIA

Members Present

Mr. J. Robert Allen, Chairman
Mr. James R. Dawson, Vice Chairman
Mr. W. Keith Brower
Mr. Vince Butler
Mr. J. Daniel Crigler
Mr. Joseph A. Kessler, III
Mr. Alan D. Givens
Mr. Eric Mays, PE
Ms. Joanne D. Monday
Mr. W. Shaun Pharr, Esq.
Mr. Aaron Zdinak, PE

Members Absent

Mr. Matthew Arnold
Mr. E.G. Middleton, III
Ms. Patricia S. O'Bannon

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| Call to Order | The meeting of the State Building Code Technical Review Board ("Review Board") was called to order by the Chairman at approximately 10:00 a.m. |
| Roll Call | The attendance was established by the Secretary, Alan W. McMahan, Secretary, and constituted a quorum. Mr. Justin I. Bell, Assistant Attorney General in the Office of the Attorney General, was present and serving as the Board's legal counsel. |
| Approval of Minutes | Mr. Mays moved to approve the minutes of the February 17, 2017 meeting as presented in the Review Board members' agenda package. The motion was seconded by Ms. Monday and passed unanimously with Messrs. Butler, Dawson and Pharr abstaining. |
| Public Comment | The Chairman opened the floor for public comment. The Secretary reported that no one was preregistered. The Chairman closed the public comment period. |

Final Orders

Appeal of Richard Criqui: Appeal No. 16-6:

Prior to consideration of the final order, Mr. McMahan presented members a revised final order which included changes recommended by the Chairman. After review and consideration, Mr. Mays moved to approve the final order. The motion was seconded by Ms. Monday and passed with Messrs. Dawson, Butler, and Pharr, abstaining.

New Business

Appeal of Gregory & Leah Thorpe; Appeal No. 16-11 (continued from February 17, 2017 meeting):

A hearing reconvened with the Chairman serving as the presiding officer.

The following persons were sworn in and given the opportunity to present testimony:

Gregory Thorpe, property owner
Leah Thorpe, property owner
Greg Holt, homebuilder
Ron Clements, for Chesterfield County
Rick Witt, for Chesterfield County

Prior to any testimony, Mr. Dawson recused himself from the case due to his employment with Chesterfield County and exited the room.

The following exhibit was submitted by Thorpe, without objection, to supplement the Review Board members' agenda package:

Exhibit A – Color photographs matching those in the Board Members' agenda package

After testimony concluded, the Chairman closed the hearing and stated a decision from the Review Board members would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and, when approved, would be distributed to the parties and would contain a statement of further right of appeal.

Decision: Appeal of Gregory & Leah Thorpe; Appeal No. 16-11:

After deliberation, Mr. Mays moved to uphold the building official and local appeals board decision that the required slope of the driveway required per the USBC section R401.3 can end 10 feet from the building and that the USBC does not prohibit a swale in the driveway that diverts the runoff towards the storm water collection system in the street. The motion was seconded by Mr. Brower and passed unanimously.

After deliberation, Mr. Givens moved to uphold the building official and local appeals board decision that the attachment of a 2" x 6" segment of lumber to the top of the bottom chord of a number of roof trusses is not a code violation per R802.10.4 and his decision per USBC 111.1 to accept the engineered detail prepared and sealed by James H. Fletcher P. E. for the attachment of the 2" x 6" segment of lumber to the top of the bottom truss chords. The motion was seconded by Mr. Crigler and passed unanimously.

Mr. and Mrs. Thorpe withdrew the remaining appeal item.

Interpretations

An interpretation request from the City of Suffolk was considered concerning the city's requirement that smoke detectors be installed in existing residential structures that were built prior to the requirement for smoke detectors in every bedroom. An Attorney General's opinion dated July 26, 2013 was presented to all Review Board members for consideration. After discussion, the board decided not to issue an interpretation.

Secretary's Report

Mr. Bell updated Review Board members about several decisions that were appealed. Cindy Davis, Deputy Director of the Division of Building and Fire Regulation, updated Review Board members on the status of the current code change process, the State Building Code Director vacancy, and plans to improve access to information on pending Review Board appeals.

Adjournment

The meeting was adjourned by motion of Mr. Allen at approximately 2:14 p.m.

State Building Code Technical Review Board
April 21, 2017 Minutes – Page Four

Approved: June 15, 2017

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Chairman, State Building Code Technical Review Board

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Secretary, State Building Code Technical Review Board